

REMARKS

It is respectfully requested that this application be examined in view of the above amendments and the following remarks.

Claim Status

Claims 1-16 are pending.

Claims 17-23 currently stand withdrawn in view of the restriction set forth below.

Applicants specifically reserve the right to file a divisional application directed to the withdrawn claims.

Restriction Requirement

The Office has required restriction between the following groups.

Group I: Claims 1-16 drawn to a composition comprising a biocompatible polymer, a biocompatible solvent and water-insoluble, biocompatible contrast agent.

Group II: Claims 17-21 drawn to a method for embolizing a blood vessel by delivering a biocompatible polymer, a biocompatible solvent and a water-insoluble, biocompatible contrast agent, via a catheter.

Group III: Claims 22 and 23 drawn to a kit comprising an embolic composition and a catheter to attenuate or arrest blood flow.

Applicants provisionally elect Group I, with traverse, directed to claims 1-16. The reason for traversal is that Applicants believe that searching Group I and Group III together would not cause an undue burden on the Examiner. See MPEP §803. As such, Applicants request that the Examiner consider rejoining Groups I and III.

Election of Species

Applicants elect the following species:

Biocompatible polymer – ethylene vinyl alcohol copolymers

Biocompatible solvent – dimethyl sulfoxide (“DMSO”)

Water-insoluble contrast agent – tantalum

Applicants submit that claims 1-16 read on the elected species.

Applicants request expedited prosecution on the merits. Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date November 24, 2006

By Lorna L. Tanner

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1104
Facsimile: (650) 856-3710

Lorna L. Tanner
Attorney for Applicant
Registration No. 50,782